

Modification Policy

Part 2-Workforce Investment Act Program Guide

1. General Requirements for WIA Title I Programs

B. Administration and Governance

8. Modification Policy for WIA Five Year Plans WIA requires the Governor to establish procedures for modifying five-year local plans.

(a) Reasons for Modifications

(1) Performance

Following are three performance situations requiring a modification to local five-year plans:

- When a Workforce Development Board (WDB) has not met a performance core indicator or a customer satisfaction indicator for two years in a row and the Division of Workforce Solutions (DWS) and the WDB have agreed to a corrective action plan, a modification is to be completed. It needs to identify corrective activities to be implemented in the local five-year plan's description of program services. Following Wisconsin's WIA Performance Policy, corrective action resulting in a modification will not begin until PY2003.
- When it is determined by the DWS and WDB that performance core indicators and customer satisfaction indicators are not appropriate and are renegotiated, a modification is completed to reflect changes made. It is to show adjustments made to performance core indicators and customer indicators on Form F of the local five-year plan. In addition, it is to include any changes to planned activities in the program services' description of the local five-year plan.
- When performance in spending is below 70% of any yearly allocation, and the DWS and WDB have agreed to a de-obligation of funds, a modification is required. It needs to address changes made to vision, goals, strategies, planned activities in the program services' description, and performance of the local five-year plan.

(2) WIA Title I Funds

When significant changes (15% or more) occur to formula allocated funds to support WIA Title I programs in a given program year, a modification is required. It needs to address changes made to the vision, goals, strategies, program services, and performance descriptions of the local five-year plan including Form F.

(3) Local Waiver

When DOL approves a state and or local waiver that impacts on activities described in the five-year plan, a modification is to be completed to reflect changes.

(4) WDA Economic Conditions

A modification is required when changes in local economic conditions result in the WDB's inability to follow through on activities described in its five-year plan. It needs to show any changes made to the vision, goals, strategies, program services, and performance in local five-year plan.

(5) Local Board and One Stop Operator Structure

When a local WDB changes its Board or One Stop Operating Structure from what is described in the local five-year plan, a modification is to be completed. It needs to address changes to the local five-year plan description of the One-Stop Delivery System. This includes forms C and D, if appropriate.

(6) Percentage of Funding Allocation to Core/Intensive and Training

Changes to the percentage of funds being targeted to the three levels of WIA services (core, intensive, and training) requires a modification be completed showing new percentages.

(7) Individual Training Account (ITA) and other Policies

WIA requires local five-year plans contain the WDB's up-to-date policy for ITAs. Any changes made to this and other local policies shall be identified in a modification and made a part of the five-year plan. The other policies include Priority of Services, Self Sufficiency Definition, Supportive Services, and Need for Training.

(8) Youth Services

A modification is required if there are changes to the sixth youth eligibility criterion, a new definition for deficient in basic literacy skills, and a new eligibility definition for a disability. It needs to reflect the changes made to the policies.

(9) Memorandum of Understanding (MOU)

When significant changes occur that impact on the current MOU, a modification is required to reflect the changes. These changes include:

- addition of new partners to the MOU
- deletion or change in partners to the MOU
- revisions since the last MOU was submitted to DWS including 1) how core services are provided through the One Stop delivery system, 2) how access to intensive and training services are provided, 3) how the costs of services and operating costs of the system are funded, 4) methods of referral between the One Stop Operator and One Stop partners, and 5) duration of the MOU.

(b) Procedures

- (1) The established modification cycle is every two years. The first begins January 2002 and ends June 30, 2002. The second begins in January 2004. Timetables with exact dates are to be distributed.
- (2) For WDBs not meeting performance core indicators and customer satisfaction indicators for two years in a row, a special modification is to be completed in the first six months of 2003.
- (3) All modifications are to be written following the Local Planning Guidelines dated November 1999. They are to address appropriate sections I – VII of the Guidelines including forms in the Attachments. The Guidelines are available at <http://www.dwd.state.wi.us/dwdwia/>. In case there is a need to address items not covered in the Guidelines, the Division of Workforce Solutions will issue separate guidance.
 - Modifications are to be written in the format and type instructed in the Guidelines.
 - All modification pages are to be numbered and correspond to the pages being replaced in the local five-year plan.

(4) 30 Day Review and Comment

For modifications, WIA requires a public review and comment period prior to submittal to the Governor. (Regs 661.345).

- Make copies of the proposed modification available to the public.
- Provide an opportunity for comment by members of the Local Board and members of the public including representatives of business and labor organizations.
- Submit any comments that express disagreement with the modification to the Governor along with the modification (s).

(5) DWD/DWS Approval

Complete modifications will be approved within 30 days of their submission, unless the DWD/DWS determines in writing:

- There are deficiencies in local workforce investment activities that have not been addressed, or
- The modification is determined inconsistent with Title I and the regulations of WIA, including required public comment provisions.